

1       Carl J. Oreskovich, WSBA #12779  
2       Andrew M. Wagley, WSBA #50007  
3       Etter, McMahon, Lamberson,  
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8       (509) 623-1439 Fax  
9       Email: carl@ettermcmahon.com  
10      Email: awagley@ettermcmahon.com

11      *Attorneys for Defendant Ronald Craig Ilg*

12                   UNITED STATES DISTRICT COURT  
13                   EASTERN DISTRICT OF WASHINGTON

14                   UNITED STATES OF AMERICA,

15                                                                  Plaintiff,

16                   vs.

17                   RONALD CRAIG ILG,

18                                                                  Defendant.

19                                                                  Case No. 2:21-cr-00049-WFN

20                                                                          **DECLARATION OF ANDREW  
21                                                                          M. WAGLEY IN SUPPORT OF  
22                                                                                  DEFENDANT'S MOTION TO  
23                                                                                  AMEND ORDER GRANTING  
24                                                                                  UNITED STATES' MOTION  
25                                                                                  FOR PRETRIAL CONDITIONS  
26                                                                                  (ECF No. 51)**

27                   I, Andrew M. Wagley, do hereby declare that the foregoing is true and  
28                   correct to the best of my knowledge:

29                   1. I am over the age of 18 and competent to testify regarding the  
30                   matters stated herein.

- 1       2. I am an attorney of record for the Defendant, Ronald Craig Ilg, MD  
2  
3       ("Dr. Ilg") in this federal criminal matter. I make this Declaration in  
4       support of the accompanying Motion to Amend Order Granting  
5       United States' Motion for Pretrial Conditions (ECF No. 51).  
6  
7       3. The alleged victim pursuant to the Indictment is J.I., Dr. Ilg's former  
8       wife. Prior to Dr. Ilg's arrest, Dr. Ilg and J.I. were parties to a  
9       parallel family law proceeding in Spokane County Superior Court.  
10  
11      4. In the family law matter, Dr. Ilg is represented by Mark Cassell of  
12       Twyford Law Office. I have spoken and corresponded with Mr.  
13       Cassell multiple times regarding the matters stated herein.  
14  
15      5. Although a Final Divorce Order has been entered in the family law  
16       proceeding, a trial regarding custody and child support pertaining to  
17       the parties' infant son is scheduled for January of 2022. No  
18       depositions have been taken in the family law matter to date.  
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20      6. On August 5, 2021, the Court granted the United States' Motion for  
21       Pretrial Conditions. The Court's Order imposed the following  
22       pretrial condition:  
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25       Defendant shall avoid all contact whatsoever, direct or  
26       indirect, with any person Defendant knows or  
27       reasonably should know are or may become a victim or  
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1 potential witness in the subject investigation or  
2 prosecution. Defendant shall have no contact with  
3 [M.P.]. Prohibited forms of contact include but are not  
4 limited to telephone, mail, email, text, video, social  
5 media, and/or any contact through any third person or  
6 parties.

7 (ECF No. 53 at 1.)  
8

- 9 7. As such, the Court's Order Granting United States' Motion for  
10 Pretrial Conditions explicitly prohibits contact between Dr. Ilg and  
11 alleged victim J.I. (Dr. Ilg's former wife) and alleged witness M.P.  
12 (Dr. Ilg's former girlfriend).
- 13 8. In the parallel family law proceeding, Petitioner's Witness List  
14 includes both J.I. and M.P. Attached hereto as **Exhibit A** is a true  
15 and correct copy of Petitioner's Witness List filed in Spokane  
16 County Superior Court. The full names of J.I. and M.P.—along with  
17 other witnesses not pertinent to this Motion—have been redacted.
- 18 9. Following entry of the Court's Order Granting United States' Motion  
19 for Pretrial Conditions, Mr. Cassell (Dr. Ilg's attorney in the family  
20 law matter) attempted to schedule the depositions of both J.I. and  
21 M.P. Attached hereto as **Exhibit B** are true and correct copies of the  
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1                   Notice of Intent to Take Oral Deposition of J.I. and Notice of Intent  
2  
3                   to Take Oral Deposition of M.P.

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- 5                   10. The depositions of J.I. and M.P. are necessary for Mr. Cassell to  
6                   properly represent Dr. Ilg in the parallel family law proceeding.  
7  
8                   Both J.I. and M.P. have been listed on Petitioner's Witness List.  
9  
10                  Moreover, not only will both individuals have information pertaining  
11                  to the ability of Dr. Ilg and/or J.I. to pay child support, but also are  
12                  expected to testify at trial regarding custody.
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- 15                  11. On or about September 7, 2021, J.I.'s legal counsel in the family law  
16                  matter (Bevan Mazey) sent correspondence to Mr. Cassell regarding  
17                  the depositions. Attached hereto as **Exhibit C** is a true and correct  
18                  copy of this correspondence from Mr. Maxey to Mr. Cassell.
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- 20
- 21                  12. In said correspondence, Mr. Maxey indicates that Assistant United  
22                  States Attorney Richard Barker "advised me of a federal protection  
23                  order that bars Mr. Ilg from all contact whatsoever, direct or indirect,  
24                  with an persons Defendant knows or reasonable should know are or  
25                  may become a victim or potential witness in the subject investigation  
26                  or prosecution." Mr. Maxey also enclosed a copy of the Order  
27  
28                  Granting United States' Motion for Pretrial Conditions to said
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1 correspondence. Mr. Maxey concludes that the proposed depositions  
2 may be in violation of the Order, and indicates "I believe that it  
3 would be appropriate for you to get federal permission before we  
4 schedule the depositions."  
5

6  
7 13. From my understanding, J.I.'s purported position in the family law  
8 matter is that Dr. Ilg will never have contact or visitations with their  
9 infant son. As indicated in the accompanying Motion, Dr. Ilg has a  
10 protected Due Process interest in the care, custody, and  
11 companionship of his biological infant son.  
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14. The purpose of the depositions of J.I. and M.P. are to explore and  
15 ascertain what their purported testimony will be at the upcoming  
16 custody and child support trial. As indicated above, both J.I. and  
17 M.P. are disclosed on Respondent's Witness List. Moreover,  
18 conducting said depositions by and through counsel eliminates any  
19 concern pertaining to witness intimidation, harassment, and/or  
20 attempted coercion.  
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23 15. Based upon the foregoing, good cause exists to amend Dr. Ilg's  
24 release conditions to allow indirect contact by and through his legal  
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counsel for the purpose of conducting depositions in the family law matter.

I hereby declare under penalty of perjury of the laws of the United States  
and the State of Washington that the foregoing is true and correct.

EXECUTED this 11th day of November, 2021 in Spokane, WA.

By: /s/ Andrew M. Wagley  
Andrew M. Wagley

## **CERTIFICATE OF SERVICE**

I hereby certify under penalty of perjury of the laws of the United States and the State of Washington that on the 11th day of November, 2021, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF System, which will send electronic service to all attorneys of record.

EXECUTED this 11th day of November, 2021 in Spokane, WA.

By: /s/ Andrew M. Wagley  
Andrew M. Wagley

## **EXHIBIT A**

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JUL 23 2021

TIMOTHY W. FITZGERALD  
SPOKANE COUNTY CLERK

SUPERIOR COURT OF WASHINGTON  
COUNTY OF SPOKANE

In re:

) No. 20-3-

J [REDACTED] I [REDACTED]

Petitioner,

PETITIONER'S WITNESS LIST

And

RONALD ILG,

Respondent.

Petitioner, \*\* hereby submits the following list of witnesses he intends to call at the time of trial:

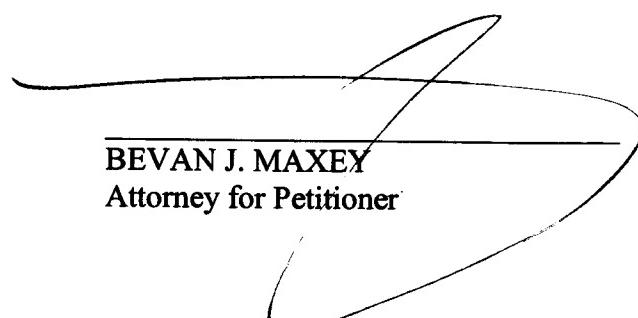
1. J [REDACTED] I [REDACTED] - Petitioner
2. Ronald Ilg - Respondent
3. M [REDACTED] P [REDACTED] - Respondent's Ex-Girlfriend
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13. Any person who has submitted a declaration or is documented in records submitted in this case.
14. Any person revealed through Discovery or Litigation to have information related to this case.
15. Any person listed on Respondent's Witness List
16. Lay Witness(es), Reserved

Maxey Law Office, PLLC  
1835 W. Broadway  
Spokane, WA. 99201  
(509) 326-0338 phone  
(509) 325-4490 Fax

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17. Mental Health Expert(s), Reserved
  18. The Petitioner reserves the right to call any necessary rebuttal witnesses which would be admissible under the rules governing rebuttal; and,
  19. Any witness the Respondent intends to call in her case in chief. To include any rebuttal witnesses.

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6  
The Petitioner reserves the right to amend the Witness List for trial and agrees to provide such amended list(s) before the trial date, as appropriate.

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11 DATED this 22 day of July, 2021.  
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BEVAN J. MAXEY  
Attorney for Petitioner

## **EXHIBIT B**

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TIMOTHY W. FITZGERALD  
SPOKANE COUNTY CLERK

Superior Court of Washington  
County of Spokane

In re:

J [REDACTED] I [REDACTED]

Petitioner,

No. 20-3-[REDACTED]

and

Ronald Ilg

Notice of Intent to Take the  
Oral Deposition of J [REDACTED] I [REDACTED]

Respondent.

TO: J [REDACTED] I [REDACTED] and your attorney of record, Bevan Maxey

PLEASE TAKE NOTICE that the testimony of J [REDACTED] I [REDACTED] will be taken upon Oral Examination will be taken on **September 7, 2021**, commencing at the hour of **8:00 am.** on said day before a certified court reporter and notary public at Twyford Law Office, 430 W Indiana Ave Spokane, WA 99205 and that if the deposition is not completed on that date, the taking of the same will be continued thereafter from day-to-day and from time-to-time until completed.

The taking of said deposition is in accordance with Civil Rule 26 et. seq. and Civil Rules 30 and 31 of the Superior Court Rules of the State of Washington.

DATED: August 20, 2021.

*Mark Cassell*

Mark Cassell, WSBA #51252  
Attorney for Respondent

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TIMOTHY W. FITZGERALD  
SPOKANE COUNTY CLERK

Superior Court of Washington  
County of Spokane

In re:

J [REDACTED] I [REDACTED]

Petitioner,

and

Ronald Ilg

Respondent.

No. 20-3 [REDACTED]

Notice of Intent to Take the  
Oral Deposition of M [REDACTED]  
P [REDACTED]

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TO: M [REDACTED] P [REDACTED]  
AND TO: J [REDACTED] I [REDACTED] and your attorney of record, Bevan Maxey

PLEASE TAKE NOTICE that the testimony of M [REDACTED] P [REDACTED] will be taken upon Oral Examination will be taken on **September 9, 2021**, commencing at the hour of **8:00 AM** on said day before a certified court reporter and notary public at Twyford Law Office, 430 W Indiana Ave Spokane, WA 99205 and that if the deposition is not completed on that date, the taking of the same will be continued thereafter from day-to-day and from time-to-time until completed.

The taking of said deposition is in accordance with Civil Rule 26 et. seq. and Civil Rules 30 and 31 of the Superior Court Rules of the State of Washington.

DATED: August 20, 2021.

Mark Cassell  
Mark Cassell, WSBA #51252  
Attorney for Respondent

## **EXHIBIT C**

Bevan J. Maxey  
William C. Maxey  
Mark J. Harris  
Lora Lee Stover  
Addrian E. Boyd  
Morgan C. Maxey  
Mason J. Maxey



September 7<sup>th</sup>, 2021

Sent via Messenger  
Twyford Law Office  
Mark Cassell  
430 W Indiana Ave  
Spokane, WA 99205

1835 W. Broadway  
Spokane, WA 99201  
Phone: (509) 326-0338  
Fax: (509) 325-4490

Twyford Law Office

SEP 08 2021

RECEIVED \_\_\_\_\_

Re: I [REDACTED] v. Ilg, Case No. 20-3-[REDACTED]

Mr. Cassell,

I spoke with US Attorney Barker regarding your subpoenas to depose Ms. P [REDACTED] (formerly I [REDACTED]) and other witnesses involved in the above matter. Mr. Barker advised me of a federal protection order that bars Mr. Ilg from all contact whatsoever, direct or indirect, with any persons Defendant knows or reasonably should know are or may become a victim or potential witness in the subject investigation or prosecution. The order specifies, "Defendant shall have no contact with WITNESS 1. Prohibited forms of contact include but are not limited to telephone, mail, email, text, video, social media, and/or any contact through any third parties or persons." Please find the enclosed copy of this order.

Mr. Barker believes that you, as Mr. Ilg's attorney, deposing Ms. P [REDACTED] and Ms. P [REDACTED] may be a violation of this order. As so, I believe that it would be appropriate for you to get federal permission before we schedule the depositions.

Please advise as to how you would like to proceed.

Thank you,  
MAXEY LAW OFFICES

Bevan J. Maxey

BJM/sap  
ENCL

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Aug 05, 2021

SEAN F. MCVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

No. 2:21-CR-00049-WFN-1

Plaintiff,

ORDER GRANTING UNITED  
STATES' MOTION FOR PRETRIAL  
CONDITIONS

v.

RONALD CRAIG ILG,

**MOTION GRANTED**  
**(ECF No. 51)**

Defendant.

Before the Court is United States' Motion for Pretrial Conditions, **ECF No. 51**, and Defendant's Response to the Motion, **ECF No. 52**.

Specifically, the United States is requesting the Court impose a pretrial condition of confinement requiring the Defendant to have no contact with any victim or witness in this case. The Defendant does not object and stipulates to the motion, **ECF No. 52**.

Pursuant to this Court's authority under 18 U.S.C. § 3142, **IT IS ORDERED** the United States' motion, **ECF No. 51**, is **GRANTED**. In addition to his pretrial confinement, Defendant shall be subject to the following condition:

Defendant shall avoid all contact whatsoever, direct or indirect, with any persons Defendant knows or reasonably should know are or may become a victim or potential witness in the subject investigation or prosecution. Defendant shall have no contact with WITNESS 1. Prohibited forms of contact include but are not limited to telephone, mail, email, text, video, social media, and/or any contact through any third person or parties.

1 A violation of this order may result in a prosecution for contempt of  
2 court and could result in imprisonment, a fine, or both.

3 **IT IS SO ORDERED.**

4 DATED August 5, 2021.



5 A handwritten signature in black ink, appearing to read "JT".

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7 JOHN T. RODGERS  
8 UNITED STATES MAGISTRATE JUDGE  
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